

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
118.003

In Re Application Of: **Don L. Hexamer**

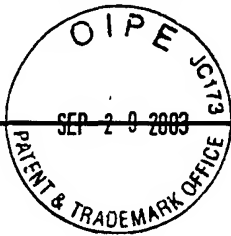
Serial No.  
10/629,234

Filing Date  
July 28, 2003

Examiner

Group Art Unit

Title: **ANTIFUNGAL COMPOSITIONS AND METHODS OF TREATMENT THEREWITH**



Address to:  
**Commissioner for Patents**  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

**OR**

☐ the fee set forth in 37 CFR 1.17(p).

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**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☐ The Director is hereby authorized to charge and credit Deposit Account as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☐ Credit any overpayment.
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I certify that this document and fee is being deposited on September 25, 2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Irving M. Fishman*

Signature of Person Mailing Correspondence

Irving M. Fishman, Reg. No. 30,258

Typed or Printed Name of Person Mailing Certificate

\*This certificate may only be used if paying by deposit account.

*Irving M. Fishman*  
Signature

Dated: September 25, 2003

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cc:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF  
HEXAMER

SERIAL NO: 10/629,234

FILED: July 28, 2003

FOR: ANTIFUNGAL COMPOSITIONS AND  
METHODS OF TREATMENT THEREWITH



Group Art Unit:

Examiner:

Assistant Commissioner for Patents

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Further to the above identified Application and in compliance with Rule 56 (37C.F.R. §1.56), Applicant hereby wishes to call the Examiner's attention to the references listed on the enclosed form PTO-A820 (5 pages). A copy of each reference is also enclosed.

The Examiner is respectfully requested to consider the following information in relation to this application and to indicate that each of the references was considered by returning a copy of the initialed PTO-A820 form(s).

US 2,606,812 relates to mixed stannous/potassium fluorides.

US 2,836,544 relates to dentifrices having stannous halides having both chlorine and fluorine.

US 2,882,204 relates to dentifrices having distannous halides having both chlorine and fluorine.

US 2,946,725 relates to dentifrice composition having stannous compounds.

US 3,266,996 relates to oral compositions of stannous lfluorozirconates.

US 3,282,792 relates to stabilized dentifrice formulations having stannous fluoride.

US 3,346,578 relates to stannous fluoride complexes with dithiopyridines.

US 4,267,164 relates to effervescent stannous fluoride tablets which result in 0.4% stannous fluoride solutions.

US 4,335,102 relates to oral compositions having stannous compounds used for oral caries prevention.

US 4,459,277 indicates that stannour fluoride has antibacterial properties.

US 4,599,228 disclosed pharmaceutically active agents to which stannous fluoride, among other materials, has been added.

US 4,828,822 relates to processes for stabilizing stannous solutions.

US 4,919,920 relates to nail hardening compositions having stannous fluoride and/or other fluorides.

US 5,057,309 relates to oral hygiene preparations having stannous fluoride.

US 5,098,716 discloses anhydrous glycerin solutions of stannous fluoride as antiviral compositions.

US 5,110,809 relates to antifungal gel formulatiojns

US 5,395,241 relates to dental treatment uses of stannous and amino fluorides.

US 5,486,537 relates to anti-fungal compositions.

US 5,663,208 discloses antifungal active agents to which stannous fluoride has been added in amounts of up to 1%.

US 5,696,105 is directed to an anti-fungal nail composition.

US 5,747,070 relates to the treatment of Herpes Virus infections using stannous salts, including stannous halides (which are other than fluoride, but if the fluoride is present another halide must also be present).

US 5,908,640 mentions veterinary products containing stannous fluoride (solutions of up to 1%) for preventing epidermal irritation.

US 5,916,545 relates to anti-fungal nail gels.

US 5,972,317 relates to compositions used for the treatment of diseased nails using proteolytic enzymes.

US 5,989,522 discusses oral antibacterial and antifungal properties of stannous fluoride.

US 6,200,553 relates to nail hardening compositions having fluoride donors.

US 6,248,370 is directed to an aqueous shampoo having stannous fluoride in addition to selenium and zinc compounds.

US 6,455,076 mentions a composition for inhibiting skin irritation from contact with a skin irritant where the composition has at least 10 mM  $\text{tin}^{++}$ .

Abrahams relates to hydrolysis reactions of stannous fluoride and the structure of stannous oxyfluoride ( $\text{Sn}_4\text{OF}_6$ ).

Donaldson relates to tin hydroxide compounds.

Advanced Inorganic Chemistry discusses the hydrolysis and oxidation of stannous and stannic species.

Seby relates to hydrolysis and oxidation of tin in solution and the equilibria of such systems.

Nikol, Becht, and Vogel discuss stannous solutions.

Goodman & Gilman relate to antifungal compositions and treatment of fungal infections.

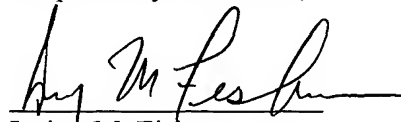
Harrison's relates to antifungal compositions.

Fung MD is an antifungal composition which Applicant believes (without admitting or conceding) contains (or has been formulated with) stannous fluoride.

Embro Research Corporation mentions MedEquine which applicant believes (without admitting or conceding) contains (or has been formulated with) stannous fluoride.

Applicant respectfully requests that the Examiner consider each of the submitted references and indicate such consideration in the first communication on the merits in this case. Applicant submits that the present claims are allowable over art now presented and a notice of Allowance is respectfully requested.

Respectfully submitted,



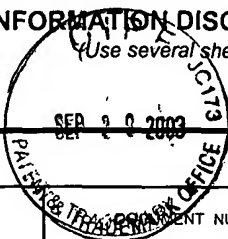
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# INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)



ATTY DOCKET NO.

118.003

SERIAL NO.

10/629,234

APPLICANT(S)

Hexamer

FILING DATE

July 28, 2003

GROUP

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
A	2,606,812	09/12/1952	Bruce			
B	2,836,544	05/27/1958	Nebergall			
C	2,882,204	04/14/1959	Nebergall			
D	2,946,725	07/26/1960	Norris			
E	3,266,996	08/16/1966	Muhler			
F	3,282,792	11/01/1966	Fiscella			
G	3,346,578	10/10/1967	Langlykke et al			
H	4,267,164	05/12/1981	Yeh et al			
I	4,335,102	07/15/1982	Nakashima et al			
J	4,459,277	07/10/1984	Kosti			
K	4,599,228	07/08/1986	Ladanyi			

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

L	Abrahams et al., J. Chem Soc. Dalton Trans. 1994, 2581
M	Donaldson et al., J. Chem Soc. Dalton Trans. 1995, 2273

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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N	4,828,822	05/09/1989	Muhlmann et al.			
O	4,919,920	04/24/1990	Devos			
P	5,057,309	10/15/1991	Hill et al.			
Q	5,098,716	03/24/1992	Embro			
R	5,110,809	05/05/1992	Wang et al.			
S	5,395,241	03/07/1995	Kandelman			
T	5,486,537	01/23/1996	Farinas			
U	5,663,208	09/02/1997	Martin			
V	5,696,105	12/09/1997	Hackler			
W	5,747,070	05/05/1998	Majeti			
X	5,908,640	06/01/1999	Embro			

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						YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Y	Cotton et al., Advanced Inorganic Chemistry, Sixth Edition (John Wiley and Sons, New York, 1999), p.301-303
Z	Seby et al., Geochimica et Cosmochimica Acta, Vol. 65, No. 18, (2001) p. 3041-3053

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	AA	5,916,545	06/29/1999	Burnett et al.			
	BB	5,972,317	10/26/1999	Sorensen et al.			
	CC	5,989,522	11/23/1999	Friedman			
	DD	6,200,553	03/13/2001	Busch, Jr.			05/01/1999
	EE	6,248,370	06/19/2001	Harris			07/20/1998
	FF	6,455,076	09/24/02	Hahn et al			12/21/1995

## FOREIGN PATENT DOCUMENTS

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							YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		GG	H. Nikol, A. Becht, and A. vogler, Inorg. Chem. 1992, 31, 3277
		HH	Goodman & Gilman 9th Edition (1996) pp. 1185-1188 and 1606-1607

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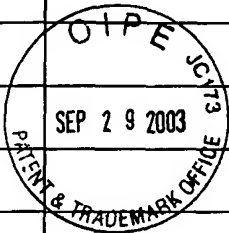
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	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)

	II	Harrison's Principles of Internal Medicine 13th Edition (1994) p. 854-865
	JJ	Fung MD webpage; <a href="http://www.tag-medical.com/FMain.htm">http://www.tag-medical.com/FMain.htm</a> 7/15/2003

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